



Paul Baker <paulbaker@utah.gov>

Leslie
April

7102

Mon, Jan 18, 2016 at 12:14 PM

Discrepancies

2 messages

Jason Rickabaugh <jasonpr@gmail.com>

To: Paul Baker <paulbaker@utah.gov>

Regarding: M0350026, M0490071

The Jordan Narrows Topo 7.5 published 2/5/2014 indicates that the summit of radio tower hill is or was over 5800'. Google earth also confirms this. I find it hard to believe that the mine operator will be able to maintain 1H:1V highwalls given the topographical map submitted to the Division 1/12/2016 for M0350026.

Further the mine operator has still failed to list SITLA as a mineral rights holder on the SO Hansen Mine. The E1/2 of the SE 1/4 Section 13 and E1/2 of the NW 1/4 of Section 24 Range 1 W SL Meridian. These parcels were purchased in 1957 by a Mr Clark and SITLA retained the mineral rights at that sale. I believe at the time sand and gravel will still considered a valuable mineral and SITLA may have claim on some of the surface rights as well as the mineral rights.

Though mine operator has claimed "vested rights" it is unclear as to what those vested rights are. Perhaps those vested rights are for grassing goats? It is my understanding that the newly bonded areas are Zoned A-5 in Draper. It is also my understanding that operator does not have a land disturbance permit from Draper City concerning these areas. Nor was the operator granted non-conforming use status by the Draper Planning Commission or expanded use of any non-conforming use. This may require the operator to restore the lands back to their original state. Perhaps a cessation order should be placed on both mines until the time it is determined they have permission from Draper City to disturb these lands. If the mine operator may not be able to restore the lands to their original state perhaps any further disturbance will exacerbate the issue and create further irreparable damage to the land?

If most recent map is correct perhaps another cessation order should be placed on the mine due to the fact that they have mined or developed facilities outside of bonded areas in both mines to provide dust mitigation for Sage Canyon?

Below is a photo taken of the Radio Tower Hill (photo dated 10/2015). It appears that operator has disturbed lands that are still not bonded according to the most recent map. It also appears that the operator has developed land on the SO Hansen mine to provide dust mitigation for the Sage Canyon excavation. Should these lands be bonded by both mines since they may be used for operations in both mines?



Other Issues:

In the certificate of mailing for M0490071 the operator failed to notify the Salt Lake County Zoning Authority concerning their Intent to mine. I ask that the permit for M0490071 be nullified since the operator failed to notify the proper county zoning authorities.

http://ims.er.usgs.gov/gda_services/download?item_id=6008701

—
Jason Porter Rickabaugh
cell: 801.615.0900
email: jasonpr@gmail.com

Paul Baker <paulbaker@utah.gov>

Tue, Jan 19, 2016 at 7:28 AM

To: Jason Rickabaugh <jasonpr@gmail.com>

Cc: April Abate <aprilabate@utah.gov>, Leslie Heppler <lheppler@utah.gov>, Dana Dean <DANADEAN@utah.gov>, Steve Alder <STEVEALDER@utah.gov>, John Robinson <jrobinson@utah.gov>, Melissa Reynolds <mreynolds@utah.gov>

One question:

You said it appears the operator has disturbed lands that are still not bonded according to the most recent map, and this is apparently based on the photo attached to the e mail. Are you referring to cuts made for the road going to the relocated radio tower?

My computer worked for nearly ten minutes on the link you sent and was not able to open the file.

Oil, Gas and Mining has been in communication with Draper City about zoning and the possible need for reclamation.

Other items in your message, except for revocation, will be dealt with as citizen comments, and you should receive a response within about a month.

I again suggest that you file a request for agency action if you feel a permit should be revoked. The specific

issue of revocation is mentioned in rule R647-5-101.2.

[Quoted text hidden]

—

Paul Baker
Minerals Program Manager
Utah Division of Oil, Gas and Mining
[801-538-5261](tel:801-538-5261)
M-W, F

Thanks Paul,

It is difficult as a citizens with limited resources and legal understanding of technical mining issues and land use to address these issues. I've listened to a few audio files of board proceedings. The board means business and addressing the Division and Board as a lay citizen is not something I take lightly. I am grateful to have the Division to help with issues and to help me understand if my complaints have merit.

I have attached the two files. One is a file on the Division webserver of a technical document submitted by Mr Sumsion. The second is an image from the SL Tribune taken from the west side of the valley. Though it is a different perspective I believe it shows that the technical schematic submitted by Mr Sumsions is in accurate.

You'll notice that the technical diagram in the attached file that the contour lines ad hear to the visible disturbance of the aerial photo taken most likely in the first half of 2015.

This the photo in the attached PDF is out of date. I may be incorrect in my understanding of the bonded areas from Sage Canyon and SO Hansen mine. My point is this though. The photo was taken prior to the Radio Facility being moved since the facility is still depicted in the aerial photo in the PDF. I believe after the aerial photo was taken that the lands on and adjacent to the property UT Co Parcel 580010006 were disturbed. And that the disturbance extends from those depicted on the engineering diagram Mr Sumsion submitted to the east through the former radio tower installation and north on the slope from the newly bonded lands. Further there appears to be a 400' discrepancy in the schematic portion close to the former radio tower installation that runs perpendicular to the contour lines of the document submitted. And the close contour lines by the summit of radio tower hill do not meet the state's requirement for a 1H:1V highwall. Please note the summit of the radio tower was over 5800'. In short the operator may have mined himself into a corner with draper zoning. Along the next ridge to the north of the new disturbance of radio tower hill is a road. This road has been developed by the mine operator for operations at the mine. I believe this road also should be bonded due to the the fact that land was disturbed as part of a mining operation. The road at the edge of the disturbance has had further development from the time the aerial photo was taken and does not accurately depict the disturbance.

It is unclear to me if the contour lines depict the bonded areas. If so I hope the division takes a long hard look at the accuracy of Mr Sumsions submission.

Due to the remote location and inability to easily and legally access this area I do not have updated imagery of the disturbance. Though I am working on acquiring new aerial photographs of the disturbed lands. This will take a few weeks weather permitting.

Thank you so much for working with Draper City concerning reclamation. I wish I could see another alternative to these issues. However it is difficult to see any other solution given the violations of the public's trust on the part of the mines' operator. I know that mining is important to our society. From my prospective though these mines have gone past being a benefit to the communities and have become a public nuisance. The mine operator and property owners business practices are not only detrimental to the neighboring communities but also to the entire industry of sand, gravel, and construction materials in the adjoining valleys.

Thank you. Please let me know if you need more clarification.